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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,379	06/27/2001	Karin Axelsson	1115.40312X00	2564

20457 7590 10/03/2006

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER	
RAMAN, USHA	

ART UNIT	PAPER NUMBER
2623	

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/891,379	AXELSSON ET AL.	
	Examiner	Art Unit	
	Usha Raman	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 September 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments, see pages 2, 4, filed July 20th, 2006, with respect to the rejection(s) of claim(s) claims 1 under 35 USC 102(b) to Yuen and claim 15 under 35 USC 103(a) to Yuen in view of Bates have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Verhaeghe, and Nishikawa.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-7, 10, 13, 22-28 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Verhaeghe (US Pre Grant Pub. 2001/0017672)

As for Claim 1, Yuen teach an electronic program guide system associated with a broadcast receiver in a broadcast system (see fig. 2 and page 1 lines 7-9), said electronic program guide system comprising:

Receiving means (television receiver) for receiving at least one electronic program guide corresponding to the broadcast system (see Yuen: fig. 7, page 1, lines 7-9);

First display generation means (CPU 24, Video processor 30) for generating display of said electronic program guide in a first display area (46) of a display unit associated with said broadcast receiver. See fig. 2, page 5, lines 9-12.

Selecting means (remote control 50) for selecting a desired program from said electronic program guide (see page. 6 lines 26-28)

Setting means (CPU 24 controls tuner 11 to receive a selected program) for controlling of the associated broadcast receiver to set to the selected program (see page. 5 lines 16-33)

Second display generation means (PIP chip 19) for generating display during browsing of the EPG (see page 5, lines 23-30) of the selected program (highlighted by cursor 48) in a second display area (42) of the display unit (see pg. 5 lines 16-33)

Storage means for storing parameters identifying said selected program (see pg. 4 lines 31-32), and wherein

Additional program selection (browsing selection by highlighting up/down keys) causes setting the broadcast receiver to the selected program (see page 5, lines 23-30) and display of the additionally selected programs in the second display area.

Yuen only teaches the step of storing parameters identifying one selected program in the memory for recalling and does not disclose the step of a list with of parameters identifying the additionally selected programs of selected programs added stored in the storage means. Yuen further fails to disclose a timer means, wherein the timer means is activated upon additional program selection and causes

setting and display of the previously selected program upon elapse of the predetermined time.

Verhaeghe discloses a system for storing multiple channel selections in a history list of channels, and further provides navigation means to recall them all the channels in the history list. See [0038] and [0039].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Yuen in view of Verhaeghe's teachings by providing a history list of channels for storing the program information of selected channels from the program guide, thereby allowing the user to surf channels and then return back to surfed channels.

As for Claim 2, Yuen teach first input means allowing selection of stored parameters identifying a previously selected program, wherein said selection causes tuning and display of the previously selected program in the second display area of the display unit (see fig. 2 unit 45 Last Channel, and pg. 8 lines 33-38).

As for Claim 3, Yuen et al. teach a second input means allowing selection of the program currently being displayed in the second display area of the display unit for full screen display. The claim language "allowing selection of the program currently being displayed" is interpreted to be broad enough by the examiner that a passive state of a user of leaving a program to continue to be displayed in the second display area (which is interpreted in previous claims above to be full screen display) is inherently allowing the current program being displayed in the second display area of the display for full screen display.

With regards to claim 4, Yuen teaches a third display generation means for generating display of a listing of the last program stored in the storage means in a third display area of the display unit (Yuen: see fig. 2 unit 45). The modified system therefore shows the display of the channel history list in the third display area.

As for Claim 5, Yuen et al. teach said first input means allows for stepwise sequential selection of the stored parameters (see fig. 2 unit 45 Last Channel, and pg. 8 lines 33-38)

As for Claim 6, Yuen et al. teach third input means for allowing selection of a program from said list, wherein said selection causes tuning and display of the selected program in the second display area of the display unit (see fig. 2 unit 45 Last Channel, and pg. 8 lines 33-38).

As for Claim 7, Yuen et al. teach fourth input means for allowing selection from said list of a program currently being displayed in the second display area of the display unit, wherein said selection causes full screen display of the selected program on the display unit (see fig. 2 unit 45 Last Channel, and pg. 8 lines 33-38).

As for Claim 10, Yuen et al. teach said electronic program guide system is incorporated in an integrated receiver decoder (TV receiver). See fig. 1 and pg. 4 line 25

As for Claim 13, Yuen et al. teach said electronic program guide system is incorporated in a television receiver. See fig. 1 and pg. 4 line 25

As for Claim 22, Yuen et al. teach a method for browsing programs selected for display in a second display area of an electronic program guide system

associated with a broadcast receiver (see fig. 2 and page 1 lines 7-9) comprising steps of:

Receiving at least one electronic program guide corresponding to a broadcast system (see fig. 7 unit 20 TV)

Generating display during browsing (see page 5, lines 23-30) of said electronic program guide in a first display area (46) of a display unit associated with said broadcast receiver (fig. 1 unit 24 Microprocessor and unit 30 Video Processor, pg. 5 lines 9-12

Selecting a desired program from said electronic program guide (see fig. 6 unit 50 Remote control, pg. 6 lines 26-28);

Controlling a tuner of the associated broadcast receiver to tune to the selected program (see fig. 1 unit 24 Microprocessor and unit 11 Tuner, pg. 5 lines 26-29

Generating display of the selected program in the second display area of said display unit (see pg. 5 lines 30-33). Full screen is interpreted to be the second display area of the display unit.

Storing parameters identifying said selected program (see fig. 1 unit 34 Last Channel Register, pg. 4 lines 31-32) in a list of selected programs (i.e. last channel stored every time a tuner is set to a new channel, see pg. 4 lines 33-34, lines 22-24).

Repeating the controlling, generating and storing steps for each subsequently made program selection (see pg. 4 lines 33-34, lines 22-24). It is interpreted that

the parameter of the channel that is displayed in full screen (second display area) is stored.

As for Claim 23, Yuen et al. teach selecting stored parameters identifying a previously selected program', controlling a tuner of the associated broadcast receiver to tune to the program identified by the selected parameters', generating display of the program identified by the selected parameters in the second display area of said display unit (see fig. 2 unit 45 Last Channel, and pg. 8 lines 33-38).

As for Claim 24, Yuen et al. teach selecting the program currently being displayed in the second display area of the display unit for full screen display tThe second display area is interpreted to be a full screen display. Therefore, when a user selects a program to be displayed in the second display area, the user is inherently selecting the program to be displayed in full screen).

As for Claim 25, Yuen et al. teach generating display of a list of the programs stored in the storage means in a third display area of the display unit (see fig. 2 unit 45 Last Channel is interpreted to be the third display area that list the programs stored as the Last channel viewed full screen). The modified system therefore teaches the step of displaying a channel history list in the third display area.

As for Claim 26, Yuen et al. teach inputting stepwise sequential selection of the stored parameters (see fig. 2 unit 45 Last Channel, and pg. 8 lines 33-38). The step of selecting the last channel stored is interpreted to be a stepwise sequential selection).

As for Claim 27, Yuen et al. teach selecting a program from said list; controlling a tuner of the associated broadcast receiver to tune to the program selected', generating display of the program selected in the second display area of said display unit (see fig. 2 unit 45 Last Channel, and pg. 8 lines 33-38).

As for Claim 28, Yuen et al. teach selecting from said list a program currently being displayed in the second display area of the display unit; generating full screen display of the selected program on the display unit (The second display area is interpreted to be a full screen display. Therefore, when a user selects a program to be displayed in the second display area, the user is inherently selecting the program to be displayed in full screen).

As for Claim 33, all the limitations of Claim 33 fall within the limitations of Claim 1. The limitations of claims 33 are analyzed and rejected as discussed above with reference to Claim 1. Claim 33 further requires a computer program product stored on a computer readable storage medium, comprising computer readable program code means for causing a computer to perform the limitations of the claim. The limitation of the computer program product is met by Fig. 1 unit 24 microprocessor of Yuen et al. Also see Yuen et al. pg. 4 lines 27-28 It is interpreted that Microprocessor 24 is a computer program product to carry out the limitations of the claim.

As for Claim 34, all the limitations of Claim 34 fall within the limitations of Claim 1. The limitations of claims 34 are analyzed and rejected as discussed above with reference to Claim 1. Claim 34 further requires a computer program product

directly loadable into the internal memory of a digital computer comprising source code portions for performing the limitations of the claim when said product is run on a computer. The limitation of the computer program product directly loadable into the internal memory of a digital computer comprising source code portions is met by Fig. 1 unit 24, microprocessor of Yuen et al. Also see Yuen et al. pg. 4 lines 27-28. It is interpreted that Microprocessor 24 is a digital computer program product to carry out the limitations of the claim.

4. Claims 8-9, 11, 15-18, 20 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Verhaeghe (US Pre Grant Pub. 2001/0017672) and further in view of Duffield (US Pat. 5,194,954).

As for Claim 8, Yuen et al. in view of Verhaeghe do not expressly teach a timer means, wherein said timer means is activated upon program selection and causes tuning and display of the selected program in the second display area of the display unit for a predetermined time and renewed tuning and display of the previously selected program in the second display area of the display unit upon elapse of the predetermined time. However, in the same field of endeavor, Duffield, teaches reverting back to a previous channel that a receiver was tuned to when a user input is not received for a predetermined time period. Duffield therefore teaches during a channel sampler mode (of sampling user's favorite channels), a timer being activated upon the selection of a channel, wherein the timer expires (after a predetermined time of inactivity from the user) and upon the expiration of the

timer, reverts back to the last channel watched by the user. See column 6, lines 26-33.

It would have been obvious to one of ordinary skill in the art to further modify the system of Yuen in view of Verhaeghe with teachings of Duffield, by using a timer during a surfing mode, such that after a period of inactivity, the receiver reverts back to the last channel watched by the user. The motivation is to allow the user to automatically go back to the previous programming when user has completed surfing.

As for Claim 9, the modified Yuen et al. in view of Verhaeghe and Duffield teaches fifth input means for allowing selection of the program being displayed in the second display area of the display unit for the predetermined time, wherein said selection causes full screen display of the selected program on the display unit (see fig. 2 unit 45 Last Channel, and pg. 8 lines 33- 38 "to utilize the last channel recall feature, the viewer pushes the GUIDE/TV button to exit the guide mode while the cursor is positioned on the last channel listing 45, which controls the microprocessor to retrieve the channel designated for the LCF from the last channel register 34 and to control the tuner to tune the LCF. Hence, the program being telecast on the LCF is displayed full screen upon returning to the television viewing mode.").

As for Claim 11, the modified system teaches said electronic program guide system is incorporated in a television receiver. Examiner takes official notice that set top boxes are well known form of TV receivers the art, for receiving CATV signals and EPG information. It would have been obvious to one of ordinary skill in

the art at the time of the invention to further modify the system to include a set top box receiver so that the viewer can receiver CATV signals and EPG info.

As for Claim 15, Yuen teach an electronic program guide system associated with a broadcast receiver in a broadcast system (see fig. 2 and page 1 lines 7-9), said electronic program guide system comprising:

Receiving means (television receiver) for receiving at least one electronic program guide corresponding to the broadcast system (see Yuen: fig. 7, page 1, lines 7-9);

First display generation means (CPU 24, Video processor 30) for generating display of said electronic program guide in a first display area (46) of a display unit associated with said broadcast receiver. See fig. 2, page 5, lines 9-12.

Selecting means (remote control 50) for selecting a desired program from said electronic program guide (see page. 6 lines 26-28)

Setting means (CPU 24 controls tuner 11 to receive a selected program) for controlling of the associated broadcast receiver to set to the selected program (see page. 5 lines 16-33)

Second display generation means (PIP chip 19) for generating display during browsing of the EPG (see page 5, lines 23-30) of the selected program (highlighted by cursor 48) in a second display area (42) of the display unit (see pg. 5 lines 16-33)

Storage means for storing parameters identifying said selected program (see pg. 4 lines 31-32), and wherein

Additional program selection (browsing selection by highlighting up/down keys) causes setting the broadcast receiver to the selected program (see page 5, lines 23-30) and display of the additionally selected programs in the second display area.

Yuen only teaches the step of storing parameters identifying one selected program in the memory for recalling and does not disclose the step of a list with of parameters identifying the additionally selected programs of selected programs added stored in the storage means. Yuen further fails to disclose a timer means, wherein the timer means is activated upon additional program selection and causes setting and display of the previously selected program upon elapse of the predetermined time.

Verhaeghe discloses a system for storing multiple channel selections in a history list of channels, and further provides navigation means to recall them all the channels in the history list. See [0038] and [0039].

Duffield teaches reverting back to a previous channel that a receiver was tuned to when a user input is not received for a predetermined time period. Duffield therefore teaches during a channel sampler mode (of sampling user's favorite channels), a timer being activated upon the selection of a channel, wherein the timer expires (after a predetermined time of inactivity from the user) and upon the expiration of the timer, reverts back to the last channel watched by the user. See column 6, lines 26-33.

It would have been obvious to one of ordinary skill in the art to further modify the system of Yuen in view of Verhaeghe teachings by providing a history list of

channels for storing the program information of selected channels from the program guide, thereby allowing the user to surf channels and then return back to surfed channels and further modify the system with teachings of Duffield, by using a timer during a surfing mode, such that after a period of inactivity, the receiver reverts back to the last channel watched by the user. The motivation is to allow the user to automatically go back to the previous programming when user has completed surfing.

As for Claim 16, the modified system teaches fifth input means for allowing selection of the program being displayed in the second display area of the display unit for the predetermined time, wherein said selection causes full screen display of the selected program on the display unit. See Yuen et al. fig. 2 unit 45 Last Channel, and pg. 8 lines 33-38 "to utilize the last channel recall feature, the viewer pushes the GUIDEXV button to exit the guide mode while the cursor is positioned on the last channel listing 45, which controls the microprocessor to retrieve the channel designated for the LCF from the last channel register 34 and to control the tuner to tune the LCF. Hence, the program being telecast on the LCF is displayed full screen upon returning to the television viewing mode."

As for Claim 17, see claim 11. The cable set top box is interpreted to be an integrated receiver decoder.

As for Claim 18, see claim 11.

As for Claim 20, the modified system teaches said electronic program guide system is incorporated in a television receiver. See Yuen: page 4, line 25.

As for Claim 29, Yuen et al. do not expressly teach activating timer means upon program selection', controlling a tuner of the associated broadcast receiver to tune to the selected program for a predetermined time; generating display of the selected program in the second display area of said display unit for the predetermined time; controlling the tuner of the associated broadcast receiver to tune to the previously selected program upon elapse of the predetermined time', generating display of the previously selected program in the second display area of said display unit upon elapse of the predetermined time. Duffield, teaches reverting back to a previous channel that a receiver was tuned to when a user input is not received for a predetermined time period. Duffield therefore teaches during a channel sampler mode (of sampling user's favorite channels), a timer being activated upon the selection of a channel, wherein the timer expires (after a predetermined time of inactivity from the user) and upon the expiration of the timer, reverts back to the last channel watched by the user. See column 6, lines 26-33.

It would have been obvious to one of ordinary skill in the art to further modify the system of Yuen in view of Verhaeghe with teachings of Duffield, by using a timer during a surfing mode, such that after a period of inactivity, the receiver reverts back to the last channel watched by the user. The motivation is to allow the user to automatically go back to the previous programming when user has completed surfing.

As for Claim 30, Yuen et al. teach selecting the program being displayed in the second display area of the display unit for the predetermined time; and

generating full screen display of the selected program on the display unit. The second display area is interpreted to be a full screen display. Therefore, when a user selects a program to be displayed in the second display area, the user is inherently selecting the program to be displayed in full screen

As for Claim 31, all the limitations of Claim 31 fall within the limitations of Claims 1 and 15. The limitations' of claims 31 are analyzed and rejected as discussed above with reference to Claims 1 and 15.

As for Claim 32, all the limitations of Claim 32 fall within the limitations of Claim 16. The limitations of claims 32 are analyzed and rejected as discussed above with reference to Claim 16.

5. Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Verhaeghe (US 2001/0017672) and further in view of Darbee et al. (US Pat. 6,130,726).

As for Claims 12 and 14, Yuen et al. do not expressly teach said electronic program guide system is incorporated in a mobile handset and/or mobile display appliance. However, in the same field of endeavor, Darbee et al. teach a hand held remote control unit that is configured to display electronic program guide. See Darbee et al. fig. 1 unit 14 display and col. 5 lines 3-5 "FIG. 1 is a top plan view of a remote control in accordance with one form of the present invention and having a visual display for displaying a program guide, an advertisement or other information." The remote control unit is interpreted to be a mobile handset and/or mobile display appliance. In light of the teaching of Darbee et al., it would have been

obvious to one of ordinary skill at the time the invention was made to have modified the teaching of Yuen et al. to have the electronic program guide be displayed on a remote control unit. One of ordinary skill in the ad would have been motivated to do this in order to provide the electronic program guide to a user without interrupting the programming that is being displayed on the television. See Darbee et al. col. 2 lines 46-49. "The present invention is directed to a remote control unit having a graphic display for depicting program scheduling and/or advertising information without causing an interruption in content that is being depicted on an associated television monitor."

6. Claims 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Verhaeghe (US 2001/0017672) and Duffield (US Pat. 5,194,954) and further in view of Darbee et al. (US Pat. 6,130,726)

As for Claims 19 and 21, the modified system does not expressly teach said electronic program guide system is incorporated in a mobile handset and/or mobile display appliance. However, in the same field of endeavor, Darbee et al. teach a hand held remote control unit that is configured to display electronic program guide. See Darbee et al. fig. 1 unit 14 display and col. 5 lines 3-5 "FIG. 1 is a top plan view of a remote control in accordance with one form of the present invention and having a visual display for displaying a program guide, an advertisement or other information." The remote control unit is interpreted to be a mobile handset and/or mobile display appliance. In light of the teaching of Darbee, it would have been obvious to one of ordinary skill at the time the invention was made to further modify

the system, to have the electronic program guide be displayed on a remote control unit. One of ordinary skill in the art would have been motivated to do this in order to provide the electronic program guide to a user without interrupting the programming that is being displayed on the television. See Darbee et al. col. 2 lines 46-49 "the present invention is directed to a remote control unit having a graphic display for depicting program scheduling and/or advertising information without causing an interruption in content that is being depicted on an associated television monitor."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nishikawa (US 2002/0078457) disclose a selectable list of stored channels table, to select between bookmarked channels in figure 3B.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usha Raman whose telephone number is (571) 272-7380. The examiner can normally be reached on Mon-Fri: 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

UR

CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600